

## REMARKS

The Office Action dated April 15, 2008 has been received and considered. In this response, claims 2, 8, and 13 have been amended. Claims 46-58 have been added. Support for the amendments and the new claims may be found in the specification and drawings as originally filed. Claims 15-45 have been cancelled without prejudice or disclaimer. Reconsideration of the outstanding rejections in the present application is respectfully requested based on the following remarks.

### Objection to Drawings

At page 3 of the Office Action, the Drawings are objected to because certain cross references in Figures 7 and 8 as originally submitted were incorrect. Applicant thanks the Examiner for his attention and courtesy in identifying the incorrect cross-references. Replacement sheets for Figures 7 and 8 are submitted herewith to address the objection to the Drawings. No new matter is introduced by the replacement sheets. In particular, the Figure cross-references in the replacement sheets correspond with the cross-references set forth in the Specification as originally submitted, and therefore do not introduce new matter. Accordingly, withdrawal of the objection to the Figures is respectfully requested.

### Objection to Claims 1 and 2

At page 4 of the Office Action, the Office objected to claims 1 and 2. With respect to claim 1, the Office Action indicates at page 4 that the claim preamble “is objected to as...missing providing brief description of nature and intended use of designs in the claim” and cites to 37 CFR 1.154(b)(1) as requiring the requested description. However, Applicant respectfully points out that the cited section of the Code of Federal Regulations refers to the preamble of the **specification** of a patent application, rather than the preamble of a patent **claim**. The code of Federal Regulations does not require that the **claim** preamble set forth the description requested by the Office.

With respect to claim 2, the claim was objected to because of abbreviations set forth in the claims. Claim 2 has been amended to address the objection.

In view of the foregoing, withdrawal of the objections to claims 1 and 2 is respectfully requested.

### § 112 Rejection of Claims 8 and 13

At page 5 of the Office Action, claims 8 and 13 are rejected under 35 U.S.C §112, second paragraph because of antecedent basis issues. The Examiner is thanked for his courtesy in identifying the antecedent basis issues, and claims 8 and 13 have been amended to address the Section 112 rejection. Accordingly, withdrawal of the rejection and reconsideration of claims 8 and 13 is respectfully requested.

### Anticipation Rejection of Claims 1-14

At page 6 of the Office Action, claims 1-14 are rejected under 35 U.S.C. § 102(e) as being anticipated by Anderson (U.S. Patent No. 6,731,657 B1). This rejection is hereby respectfully traversed.

Anderson discloses a receiver capable of receiving different data types, including MPEG-2 transport streams. *Anderson*, Abstract. The receiver includes a transport stream demultiplexor to receive the incoming data. *Id.*, FIG. 1. The demultiplexor determines whether a register bit has been set by a processor and, if so, processes the incoming data as an MPEG-2 transport stream. *Id.*, col. 9, lines 14-21. If the bit is not set, the demultiplexor bypasses MPEG-2 processing, and instead provides incoming data to system memory for subsequent processing. *Id.*, col. 9, lines 14-21 and col. 11, lines 25-44. Thus, the demultiplexor of Anderson determines whether to process data as an MPEG-2 transport stream **based on the status of an externally controlled register bit**.

Turning to the claims, claim 1 recites “determining, based upon a first portion of the first data stream, the first protocol of the multimedia data.” According to the Office Action at page 6, these elements are disclosed by the demultiplexor of Anderson. However, as explained above, the demultiplexor of Anderson does not determine a protocol of received data stream **based on a portion of the data stream**, but instead selecting a processing method for a data stream **based on the status of a register bit**. There is no disclosure or suggestion that the register bit

disclosed by Anderson is related to, or set responsive to, a portion of an incoming data stream in any manner. Accordingly, Anderson fails to disclose at least one element of claim 1.

Claims 2-14 depend from claim 1. Accordingly, Anderson fails to disclose at least one element of claims 2-14, at least by virtue of their dependence on claim 1. In addition, claims 2-14 recite additional novel elements. To illustrate, claim 6 recites “generating a database based on the second portion [of the first data stream].” According to the Office Action at page 7, these elements are disclosed at column 7, lines 48-67 of Anderson. However, the cited portion of Anderson discloses only that an MPEG-2 stream can be synchronized and parsed by the disclosed demultiplexor. Neither the cited portion, nor any other portion of Anderson, discloses generating a database based on a data stream. Accordingly, Anderson fails to disclose at least the above-cited elements of claim 6.

In view of the foregoing, withdrawal of the anticipation rejection of claims 1-14 and reconsideration of the claims is respectfully requested.

#### **New Claims 46-58**

Claims 46-58 have been added, and recite elements not disclosed or suggested by the cited art. For example, claim 46, from which claims 47-58 depend, recites “a microcode engine configured to determine, based upon a first portion of the first data stream, the first protocol of the multimedia data.” As explained above, Anderson fails to disclose or suggest determining a protocol of a received data stream based on a portion of the data stream. Accordingly, Anderson necessarily fails to disclose or suggest a microcode engine configured to determine a protocol of a received data stream as recited in claim 46. In view of the foregoing, consideration and allowance of claims 46-58 is respectfully requested.

#### **Conclusion**

The Applicant respectfully submits that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number in order to expedite resolution of any issues and to expedite passage of the present

application to issue, if any comments, questions, or suggestions arise in connection with the present application.

The Applicant believes no additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-0441.

Respectfully submitted,

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